

THIS DOCUMENT PREPARED BY
AND RETURN TO:
NEAL MCCULLOH, ESQ.
Clayton & McCulloh
1065 Maitland Center Commons Blvd.
Maitland, Florida 32751

_____ the space above this line is reserved for recording purposes _____

**CERTIFICATE OF AMENDMENT TO BY-LAWS OF HOMEOWNERS
OF LA CITA, PHASE II, INC.**

KNOW ALL MEN BY THESE HOMEOWNERS OF PRESENTS:

That the undersigned, as President and Secretary of Homeowners of La Cita, Phase II, Inc. also known as Homeowners of La Cita II, Inc. (hereinafter referred to as the "Association"), pursuant to the Florida Statutes and the BY-LAWS OF HOMEOWNERS ASSOCIATION OF LA CITA, PHASE II, INC., recorded in O.R. Book 7511, Page 1031 of the Public Records of Brevard County Florida, as amended (hereinafter "Bylaws"), hereby certify that the AMENDMENT TO BY-LAWS OF HOMEOWNERS OF LA CITA, PHASE II, INC., which is attached hereto, and by reference made a part hereof (hereinafter referred to as the "Amendment") was duly adopted in accordance with the requirements of the Association's Articles of Incorporation.

Pursuant to Article XI of the Articles of Incorporation, the Amendment was approved and implemented at a Special Meeting of the Members of the Association by a vote of a majority of Members present in person or by Proxy.

The Association is a homeowners association created pursuant to the laws of the State of Florida. With the exception of the attached Amendment, all other terms and conditions of the Bylaws remain in full force and effect.

Balance of Page Intentionally Left Blank – Signature Page Follows

IN WITNESS WHEREOF, the Association has caused these presents to be executed in its name, this 13th day of July, 2023

Signed, sealed and delivered in the presence of:

Homeowners of La Cita, Phase II, Inc. also known as Homeowners of La Cita II, Inc.

[Signature]
(Sign - Witness 1)

By: [Signature]
(Sign)

Holly Flinchum
(Print - Witness 1)

DONALD BITTNER
(Print)

[Signature]
(Sign - Witness 2)

President, Homeowners of La Cita, Phase II, Inc. also known as Homeowners of La Cita II, Inc.

Kirk A. Ketterer
(Print - Witness 2)

Ron Quinn
(Sign - Witness 1)

Attest: Carl Stephen Scherrer
(Sign)

Ron Quinn
(Print - Witness 1)

Carl Stephen Scherrer
(Print)

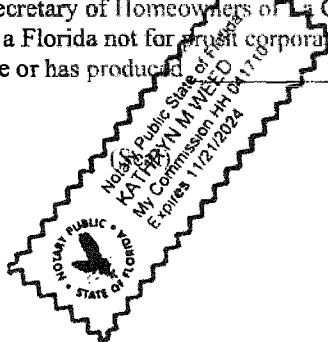
[Signature]
(Sign - Witness 2)

Secretary, Homeowners of La Cita, Phase II, Inc. also known as Homeowners of La Cita II, Inc.

DONNA MONTES
(Print - Witness 2)

STATE OF FLORIDA
COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 13 day of July, 2023, by Donald Bittner as President, and Carl Scherrer as Secretary of Homeowners of La Cita, Phase II, Inc., also known as Homeowners of La Cita II, Inc., a Florida not for profit corporation, on behalf of the corporation. They are personally known to me or has produced _____ as identification.



NOTARY
[Signature] (Sign)
KATHRYN M. WEED (Print)

AMENDMENT TO BY-LAWS OF HOMEOWNERS OF LA CITA, PHASE II, INC.

The following amendments are made to Article 3, Section C and Article 8, Section C of the BY-LAWS OF HOMEOWNERS OF LA CITA, PHASE II, INC., recorded in O.R. Book 7511, Page 1031 of the Public Records of Brevard County Florida, as amended (additions are indicated by underlining, deletions are indicated by ~~strike through~~, and omitted but unaltered provisions are indicated by ellipses):

...

ARTICLE 3 ANNUAL AND SPECIAL MEETINGS OF THE MEMBERSHIP

...

C. Except as provided in Article V, Section 6 of the Declaration, notice of all membership meetings, regular or special, shall be given by the President, Vice President, Secretary or Treasurer of the Association, or other officer of the Association in the absence of said officers, to each member, unless waived in writing, such notice to be written or printed and to state the time, place and object for which the meeting is called. Such notice shall be given to each member not less than thirty (30) days nor more than sixty (60) days prior to the date set for such meeting, which notice shall be mailed or presented personally to each member within said time. If presented personally, receipt of such notice shall be signed by the member, indicating the date on which such notice was received by him. ~~If mailed, the notice of the membership meeting shall be sent by certified mail, return receipt requested, which mailing shall be deemed notice.~~ Any member may, by written waiver of notice signed by such member, waive such notice, and such waiver, when filed in the records of the Association, whether before or after the holding of the meeting, shall be deemed equivalent to the giving of such notice to such member. If any membership meeting cannot be organized because a quorum has not attended, or because a greater percentage of the membership to constitute a quorum of attendance may be required as set forth in the Articles of Incorporation, these By-Laws or the Declarations, the members who are present, either in person or by proxy, may adjourn the meeting from time to time until a quorum or the required percentage of attendance, if greater than a quorum, is present.

...

ARTICLE 8. AMENDMENT TO BY-LAWS

...

C. In order for such amendment or amendments to become effective, the same must be approved ~~by an affirmative vote of two thirds (2/3) of the entire membership of the Board of Directors and by an affirmative vote of the members owning not less than three fourths (3/4) of the Units and Projected Units. Thereupon, such amendment or amendments to these By-Laws shall be transcribed and certified by the President and Secretary of the Association.~~ a majority of the Members at a meeting of the membership at which a quorum has been attained (e.g., once a quorum of Members attending in person or by limited proxy has been obtained, at an annual or special meeting of the membership of the Association, a majority of those Members attending the meeting in person or by limited proxy may amend these Bylaws).

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